

PRIOR NOTICE

Written prior notice must be given to you five working days before an early intervention program consultant and/or agency proposes, or refuses, to initiate or change the identification, ***evaluation***, or placement of your child, or the provision of appropriate early intervention services to your child and your family.

The notice must be sufficient in detail to inform you about:

- (1) The action that is being proposed or refused;
- (2) The reasons for taking the action;
- (3) All procedural safeguards that are available under the program; and
- (4) The state complaint procedures including a description of how to file a complaint and the timelines under those procedures.

The notice must be:

- (1) Written in language understandable to the general public and provided in your ***native language*** unless it is clearly not feasible to do so.
- (2) If your ***native language*** or other mode of communication is not a written language, the early intervention program consultant shall take steps to insure that:
 - (a) The notice is translated orally or by other means to you in your ***native language*** or other mode of communication;
 - (b) You understand the notice; and
 - (c) There is written evidence that the requirements of this section have been met.
- (3) If you are deaf, blind, unable to read, or have no written language, the mode of communication must be that normally used by you (such as sign language, braille, or oral communication).